

Securities and Exchange Commission

§ 232.10

INTERPRETATIVE RELEASES RELATING TO THE SECURITIES ACT OF 1933 AND GENERAL RULES AND REGULATIONS THEREUNDER—Continued

Subject	Release No.	Date	Fed. Reg. Vol. and page
Acceptability in Financial Statements of an Accounting Standard Permitting the Return of a Nonaccrual Loan to Accrual Status After a Partial Charge-off.	6906	July 29, 1991	56 FR 37000.
Statement of the Commission Regarding Disclosure Obligations of Municipal Securities Issuers and Others.	7049	Mar. 9, 1994	59 FR 12758.
Amendment of Interpretation Regarding Substantive Repossession of Collateral Problematic Practices Under Regulation S	7060	May 12, 1994	59 FR 26109.
Use of Electronic Media for Delivery Purposes	7190	July 27, 1995	60 FR 35666.
Use of Electronic Media by Broker-Dealers	7233	Oct. 6, 1995	60 FR 53467.
Use of Internet Web Sites to Offer Securities, Solicit Securities Transactions, or Advertise Investment Services Offshore.	7288	May 15, 1996	61 FR 24651.
Disclosure of Year 2000 Issues and Consequences by Public Companies, Investment Advisers, Investment Companies, and Municipal Securities Issuers.	7516	Mar. 27, 1998	63 FR 14813.
	7558	Aug. 4, 1998	63 FR 41404.

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AUTHORITY: 15 U.S.C. 77f, 77g, 77h, 77j, 77s(a), 77sss(a), 78c(b), 78l, 78m, 78n, 78o(d), 78w(a), 78ll(d), 79t(a), 80a-8, 80a-29, 80a-30 and 80a-37.

SOURCE: 58 FR 14670, Mar. 18, 1993, unless otherwise noted.

GENERAL

§ 232.10 Application of part 232.

(a) This part, in conjunction with the EDGAR Filer Manual and the electronic filing provisions of applicable rules, regulations and forms, shall govern the electronic submission of documents filed or otherwise submitted to the Commission and shall be controlling for an electronic format document in the manner and respects provided in this part.

(b) A Form ID (§§ 239.63, 249.446, 259.602, 269.7 and 274.402 of this chapter), the uniform application for access codes to file on EDGAR, shall be filed by each registrant, third party, or agent prior to becoming subject to mandated electronic filing.

NOTE: The Commission strongly urges any person or entity about to become subject to the disclosure and filing requirements of the federal securities laws to submit a Form ID well in advance of the first required filing, including a registration statement relating to an initial public offering, in order to facilitate electronic filing on a timely basis.

[58 FR 14670, Mar. 18, 1993, as amended at 62 FR 36456, July 8, 1997]

§ 232.11 Definition of terms used in part 232.

Unless otherwise specifically provided, the terms used in Regulation S-T (part 232 of this chapter) have the same meanings as in the federal securities laws and the rules, regulations and forms promulgated thereunder. In addition, the following definitions of terms apply specifically to electronic format documents and shall apply wherever they appear in laws, rules, regulations and forms governing such documents, unless the context otherwise specifies:

(a) *Business development company*. The term *business development company* has the meaning set forth in section 2(a)(48) of the Investment Company Act.

(b) *Direct transmission*. The term *direct transmission* means the transmission of one or more electronic submissions via a telephonic communication session.

(c) *EDGAR*. The term *EDGAR* (Electronic Data Gathering, Analysis, and Retrieval) means the computer system for the receipt, acceptance, review and dissemination of documents submitted in electronic format.

(d) *EDGAR Filer Manual*. The term *EDGAR Filer Manual* means the current version of the manual prepared by the Commission setting out the technical format requirements for an electronic submission.

NOTE: See Rule 301 of Regulation S-T (§232.301).

(e) *Electronic filer*. The term *electronic filer* means a person or an entity that submits filings electronically pursuant to Rules 100 and 101 of Regulation S-T (§§ 232.100 and 232.101, respectively).

(f) *Electronic filing*. The term *electronic filing* means a document filed under the federal securities laws that is transmitted or delivered to the Commission in electronic format.

(g) *Electronic format*. The term *electronic format* means the computerized

format of a document prepared in accordance with the EDGAR Filer Manual.

(h) *Electronic submission*. The term *electronic submission* means any document, such as a filing, correspondence, or modular submission, or any discrete set of documents, transmitted or delivered to the Commission in electronic format.

(i) *Exchange Act*. The term *Exchange Act* means the Securities Exchange Act of 1934.

(j) *Header information*. The term *header information* means information designated by the EDGAR Filer Manual to precede the text of each electronic submission and document submitted therewith via EDGAR that identifies characteristics of the submission and documents in order to facilitate electronic processing by the EDGAR system.

(k) *Investment Company Act*. The term *Investment Company Act* means the Investment Company Act of 1940.

(l) *Modular submission*. The term *modular submission* means an electronic submission that contains one or more documents, or portions of a document, submitted for storage in the non-public EDGAR data storage area for purposes of subsequent inclusion in one or more electronic filings pursuant to Rule 501(a) of Regulation S-T (§232.501(a)).

(m) *Official filing*. The term *official filing* means any filing that is received and accepted by the Commission, regardless of filing medium.

(n) *Original*. The term *original*, when used or implied in the securities laws, rules, regulations or forms, includes the writing itself or any counterpart intended to have the same effect by a person executing or issuing it. If data are stored in a computer or similar device, any printout or other output readable by sight, shown to reflect the data accurately, is an original.

(o) *Paper format*. The term *paper format* means a paper document.

(p) *Phase-in date*. The term *phase-in date* means the date established by the Commission on and after which a registrant is required to submit filings electronically pursuant to Rule 101 of Regulation S-T (§232.101).